IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

Crl.Rev.Pet.No. 1130 of 2000()

CRA.109/1998 of SESSIONS COURT, KOTTAYAM
ST.1634/1995 of JUDL.MAGISTRATE OF FIRST CLASS, PALA

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REVN. PETITIONER:

SAFARULLAKHAN,
CHUNDIRAMPARAMBIL,
PETTA JUNCTION, KANJIRAPPALLY,
KOTTAYAM.

BY ADV. SRI.M.J.THOMAS

RESPONDENTS:

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1. P.H.BASHEER, PUTHUPARAMBIL,
PUNCHAVAYAL.

2. THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.SUNIL CYRIAC
PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 19/09/2007 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.5938/2000 IN CRL.R.P.NO.1130/2000
DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

19/09/2007

\\TRUE COPY//

K.R.UDAYABHANU, J.

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Crl.R.P.No.1130/2000-B

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Dated this the 19th day of September, 2007

O R D E R

The revision petitioner is the accused who stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced as modified by the appellate court to pay a fine of Rs.47,000/- and in default to undergo simple imprisonment for three months. Out of the fine amount Rs.45,000/- is to be paid to the complainant under Section 357(1) Cr.P.C.

The counsel for the revision petitioner has only sought for modification of the sentence. In the circumstances, the sentence is modified to pay fine of Rs.45,000/- and in default to undergo simple imprisonment for three months. The fine amount, if realised, is to be paid to the complainant. The criminal revision petitioner is granted two months time to remit the fine amount. The criminal revision petition is disposed of accordingly.

K.R.UDAYABHANU,
Judge

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K.R.UDAYABHANU, J.

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Crl.R.P.No.1130/2000-B

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O R D E R

19th September, 2007